

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOHNATHAN MCFARLAND,)
)
Plaintiff,)
)
vs.) Case No. 4:08CV621 CDP
)
UNITED PARCEL SERVICE,)
)
Defendant.)

ORDER

Plaintiff is a pro se litigant who brought suit alleging wrongful termination and violation of the Civil Rights Act of 1964 and the Labor Management Relations Act. Defendant moved to dismiss plaintiff's case for failure to state a claim. Defendant's motion was granted on May 29, 2008, because plaintiff failed to demonstrate that he exhausted his internal union remedies before filing suit.

Plaintiff has now filed a "Response to Court Order" stating that he is continuing to search for a lawyer to handle his case. In addition, plaintiff states that he spoke to a union representative about his claim and was told "there was nothing more anyone could do."

Plaintiff's "Response" does not set forth sufficient facts or evidence that would warrant re-opening his case. Because I continue to believe my earlier

ruling dismissing plaintiff's case is correct, I will decline to set aside the dismissal.

Accordingly,

IT IS HEREBY ORDERED that to the extent that plaintiff's "Response to Court Order" can be construed as a motion to re-open his case, that motion is denied.

Catherine D. Perry

CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 12th day of June, 2008.